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/Erin Cowles/

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/527,931 Conf. No.: 3919
Applicant : Mathieu
Filed : March 17, 2000
TC/A.U. : 3726
Examiner : Chang, Rick Kiltae

Docket No. : P114-US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

To Whom It May Concern:

Listed on an attached Form PTO/SB/08A is information known to applicant(s). Applicants ask that the attached Form PTO/SB/08A be initialed and returned in accordance with MPEP §609. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

APPLICANT'S COMMENTS

The present application contains the same disclosure, and was filed on the same day as, U.S. Patent No. 6,509,751. Citations 2-4 in the enclosed list include contentions of invalidity of U.S. Patent No. 6,509,751.

- ☐ This statement qualifies under *37 C.F.R. §1.97, subsection (b)* because (check all that apply):
- ☐ It is being filed within 3 months of the application filing date (other than the filing date of a continued prosecution application under §1.53(d)); or
 - ☐ It is being filed within 3 months of entry of a national stage; or
 - ☐ It is being filed before the mail date of the first Office Action on the merits; or
 - ☐ It is being filed before the mail date of the first Office Action after the filing of a request for continued examination under §1.114.
- ☒ *37 C.F.R. §1.97(c)*. If this statement is being filed three months after the filing date of a national application or entry of the national stage in an international application and the mailing date of a first Office action on the merits but before the mailing date of the earlier of a final office action, a notice of allowance, or an action that otherwise closes prosecution in the application, then:
- ☐ a statement as specified in §1.97(e) is provided below; **or**
 - ☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ *37 C.F.R. §1.97(d)*. If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:
- a statement as specified in §1.97(e) is provided below; **and**
 - a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

Fee:

- ☐ No fee is due.
- ☐ A check that includes \$_____ for the above-identified fee(s) is enclosed.
- ☒ Payment is provided by credit card.

Respectfully submitted,

Date: November 17, 2009

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